

March 29, 1979

LB 575

to the Venditte amendment. Senator DeCamp, do you wish to speak to the Venditte amendment?

SENATOR DeCAMP: Yes, Mr. President. I am going to oppose the amendment, but before I oppose it, I want to state my credentials so I don't get in trouble. 1971, I wrote and sponsored in this Legislature the point 10 law. The point 10 law was accepted as the national model and in 1971 I was named as the most outstanding legislator by the Council on Alcohol and Drug Abuse. It became the national model. In 1974 I was hit headon by a drunk driver, sued the guy, won \$27,000 in damages because he nearly killed me which some were hoping at the....but anyway, so why I am opposing an amendment that Senator Venditte would offer to get tough on drunk drivers. Because the amendment he has got is just blatantly unconstitutional, in my opinion. The amendment says, Mr. Clerk, read it. Now, listen. It is a noble goal maybe but I don't think you can just do this. Go ahead. Read it.

SPEAKER MARVEL: The bill has five minutes left.

SENATOR DeCAMP: Read it.

SPEAKER MARVEL: Go ahead, Mr. Clerk.

CLERK: The new language, Senator is, "If any person is arrested, such person shall immediately be confined for one day in jail."

SENATOR DeCAMP: You know, once you are arrested doesn't mean that they can immediately take you out and shoot you or lock you up. I mean they arrest people for murder all the time and it may be fun to take them out and shoot them but sometime ago we instituted in this country when we formed it something called the Constitution and the Bill of Rights and something that flows out of that called due process, due process, and that means you have got to have convictions, convictions, before you can, well, do away with people, so to speak, and snuff them out, as Senator Johnson says, so I would encourage you to reject the amendment. Better yet, I would ask Patrick to withdraw the amendment because it does have those problems. It really does. There may be bills here that he can work with. There may be ways to tighten it up but this one at this time on this bill won't work. Do you want to withdraw it? You don't, do you? Okay, he is going to close.

SPEAKER MARVEL: The Chair recognizes Senator Chambers, and then Senator Koch and we have four minutes left on the bill. Senator Chambers.